

MACKINAC COUNTY

Courthouse
100 S. Marley Street, Room 15
St. Ignace, MI 49781
Fax (906) 643-8861

MARK MacDONALD

Juvenile Officer
Referee
Court Administrator
(906) 643-7320

JUDITH L. RYERSE

Probate Register
(906) 643-7303

KATHLEEN ANNE KITTELL

Juvenile Register
Court Recorder
(906) 643-7319

STATE OF MICHIGAN**SIXTH PROBATE COURT****THOMAS B. NORTH**

PROBATE JUDGE

LUCE COUNTY

Courthouse
County Government Bldg.
407 West Hamie Street
Newberry, MI 49868

DEBORAH J. STROHL

Probate/Juvenile Register
Court Recorder
(906) 293-5601

MICHAEL M. WOLF

Juvenile Officer
Court Administrator
(906) 293-5751

July 18, 2005

Mr. Corbin Davis
Clerk
Michigan Supreme Court
Michigan Hall of Justice
P O Box 30052
Lansing, MI 48909

Dear Mr. Davis:

RE: ADM 2004-54

I am writing to comment regarding ADM 2004-54. I generally support the position of the Michigan Probate Judges Association, which either has been or will be filed. In addition, I have a specific comment about the proposed change to MCR 5.203.

Sometimes the failure of a fiduciary to perform his/her duties occurs immediately after appointment, and issuance of Letters of Authority. This, at times, includes failure to file an Inventory of assets. In that event, the court has no way of possibly knowing if there is a "financial institution where the dilatory fiduciary has deposited funds," or what financial institution it is, in order to send it a copy of the order suspending, to comply with the proposed rule.

Therefore, I strongly request the language to be added to 5.203 read as follows: ".....any financial institution where the dilatory fiduciary has deposited estate funds according to pleadings filed with or submitted to the court, any guardian ad litem.....". Inclusion of this language would make court compliance possible.

Thank you, as always, for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Thomas B. North".

Thomas B. North
Probate Judge

TBN:jl原因

